



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER |
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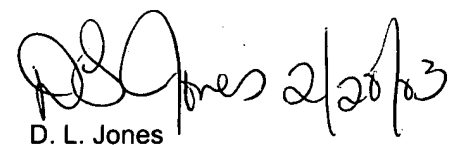
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Please see the attached notice regarding the non-responsive amendment filed 11/18/02, Paper No. 9.


D. L. Jones
Primary Examiner
Art Unit: 1616

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NON-RESPONSIVE AMENDMENT

1. The reply filed on 11/18/02, Paper No. 9, is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not elected a single species for prosecution. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Notes: It is duly noted that Applicant has elected to prosecute Group III (claims 18-29) directed to a method of screening without traverse. However, in regards to the election of species, Applicant is once again respectfully requested to elect a species for search purposes. In particular, claims 1-39 disclose a plurality of distinct species comprising radiolabeled immunotoxins that may be utilized for both in vitro and in vivo purposes. ***The single disclose species should comprise a toxic domain, a targeting molecule, and a radionuclide atom.*** Possible species, for example, include toxic domain moieties that may be selected from ricin, Pseudomonas exotoxin, bryodin, gelonin, alpha-sarcin, aspergillin, restrictocin, angiogenin, saporin, abrin, pokeweed antiviral protein, a ribonuclease, or a pro-apoptotic polypeptide. Possible target molecules include mucin, CEA, PSA, folate binding receptor, A33 alpha fetoprotein, CA-125, glycoprotein, colon-specific antigen p, ferritin, p-glycoprotein, G250, OA3, PEM glycoprotein, L6 antigen, 19-9, P97, placental alkaline phosphatase, 7E11-C5, 17-1A, TAG-72, 40 kDa glycoprotein, URO-8, tyrokinase, interleukin-2 receptor polypeptide,

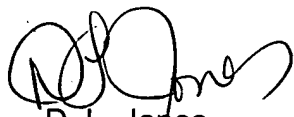
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interleukin-3 polypeptide, interleukin-13 receptor polypeptide, interleukin-4 receptor polypeptide, VEGF receptor, GM-CSF receptor polypeptides, EGF receptor polypeptide, insulin receptor polypeptide, insulin-like growth factor receptor polypeptide, transferring receptor, estrogen receptor, T-cell receptor alpha-chain, T-cell receptor beta-chain, CD4 polypeptide, CD8 polypeptide, CD7 polypeptide, B-cell heavy chain, B-cell light chain, CD19 polypeptide, CD20 polypeptide, CD22 polypeptide, MAGE polypeptide, BAGE polypeptide, GAGE polypeptide, RAGE polypeptide, PRAME polypeptide, and GnTV polypeptide. Possible radionuclides include isotopes of Bi, I, At, Lu, Sc, Rh, Pd, Sm, Au, Tc, In, F, C, Au, Br, N, Cl, Mn, Co, Cu, Ga, As, Se and Re.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. L. Jones whose telephone number is (703) 308-4640. The examiner can normally be reached on Mon.-Fri. (alternate Mon.), 6:45 a.m. - 4:15 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jose' Dees can be reached on (703) 308- 4628. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4556 for regular communications and (703) 308-4556 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1235.


D. L. Jones
Primary Examiner
Art Unit 1616

February 20, 2003